

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 99-555

March 17, 2000

NeTel, Inc. d/b/a Tel-3  
Request to Abandon Service

ORDER GRANTING  
REQUEST TO ABANDON  
SERVICE

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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On August 11, 1999, OneStar Long Distance (One Star) filed notice that it had purchased the customer accounts of NeTel, Inc. d/b/a Tel-3, pursuant to a bankruptcy proceeding. We will treat this notice as a request to abandon service by NeTel pursuant to 35-A M.R.S.A. § 1104(1). NeTel was authorized to provide interexchange service in Docket No. 95-461. OneStar states that it will continue to provide service to NeTel's current customers at rates "similar" to those of NeTel.

The request to abandon service is granted. In addition to OneStar, there are a large number of competitive telephone utilities available to serve NeTel's former customers.

Section 1104 allows the Commission to impose reasonable conditions or requirements on the abandonment of service. In cases where one carrier has transferred its customer base to another carrier that has different rates, we have required notice of the changes to the affected customers. OneStar has already sent notice to the former NeTel customers advising them of the transfer and that its rate and service offerings will be similar to those of NeTel.

OneStar is not under any legal obligation to continue to provide any particular level of rates to the former customers of NeTel, except that, as required by 35-A M.R.S.A. § 307, it must provide 30 days notice to the Commission of any rate change. In addition, OneStar must provide notice to its customers, as required by Chapter 280, § 10 of an increase in any rate that is 20% or more (or cumulatively over the past year equal to 20% or more).

Therefore, we

O R D E R

1. NeTel, Inc. is authorized] to abandon service NeTel may abandon service effective on the date of the transfer of its customer accounts to OneStar Long Distance.

Dated at Augusta, Maine this 16th day of March, 2000.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Diamond

### NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.

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